

### **REMARKS**

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 14-33 are pending in this application, of which claims 15, 19-27, 29-31, and 33 are withdrawn from consideration. By this Amendment, the specification is amended, the drawings are amended, and claim 28 is amended. Accordingly, claims 14, 16-18, 28, and 32 are pending in this application. Applicants respectfully submit, however, that the claims are not narrowed by such an amendment since such amendment only makes explicit that which was implicitly recited in the original claims.

### **Information Disclosure Statement**

In this Office Action, it is stated that the Information Disclosure Statement filed April 5, 2006 failed to comply with 37 CFR 1.98(a)(2). In response, complete copies of each cited foreign patent document is attached herewith. It is respectfully requested that the Examiner initial the form 1449 and return same to the Applicant.

### **Drawings**

The Examiner has objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) because referenced character "61" has been used to designate both inner surface and conducting zone. Amended drawings are attached. The reference "61" is now only used to designate the inner surface and the conducting zone is now designated by character "80".

### **Specification**

Marked-up and clean versions of the specification are provided, to now designate the inner surface and the conducting zone by character "80."

**Claim Rejections under 35 USC §112**

Claim 28 stands rejected under 35 USC 112, the Examiner alleging that the recitation of “the last turn,” in line 2, lacks sufficient antecedent basis. Applicants amend claim 14 to obviate the rejection thereof. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim Rejections under 35 USC §102**

The rejection of claims 14 and 16-18 under 35 USC 102(e) as being anticipated by Moree (U.S. 6,921,988) is respectfully traversed.

In regards to claim 14, Moree appears to only disclose an “elastomeric membrane” comprising buttons 51, 52, 53 covered with carbon 58 (see Fig. 5b), the carbon being in electric contact with an electric circuit 60 (see Fig. 6a) when the housing is closed (see [0037] and [0038]. Applicant respectfully submits that the Meridian Webster online dictionary defines “elastomer” as “any of various elastic substances resembling rubber” and therefore an “elastomeric membrane” does not anticipate the claimed “spring being arranged in such a way as to be under pressure and act electrically on an electronic circuit when the housing is closed, and to no longer act on the electronic circuit when the housing is open.”

A rejection based on 35 U.S.C. §102 requires every element of the claim to be included in the reference, either directly or inherently. Accordingly, because Moree does not disclose, teach or suggest each and every feature recited in claim 1, Applicant’s recited feature is distinguished over Moree and therefore the rejection of claim 14 under 35 U.S.C. §102(e) is improper. Applicant respectfully submits, therefore, that independent claim 14 is patentable over Moree.

Claims 16-18 depend from independent claim 14 and are likewise patentable over Moree at least for their dependence on claim 14, an allowable base claim, as well as for additional features they recite.

For example, claim 16 recites wherein the guidance device operates to guide the spring on a longitudinal axis of the spring. Moree, however, appears to only disclose notches that act as guides for buttons 54, 55, 56 and not for buttons 51, 52, 53 that act as anti-intrusion devices (see Fig. 61).

In regards to claim 17, while Moree may appear to disclose a substantially cylindrical recess, they are not used to guide intrusion detection buttons 51, 52, 53.

In regards to claim 18, not only does Moree fail to disclose a spring, but furthermore, Moree fails to disclose that the circuit contains conducting tracks.

Based upon the above, withdrawal of the anticipation rejection of claims 14 and 16-18 over Moree is respectfully requested.

#### **Allowable Subject Matter**

Applicant thanks the Examiner for the indication that claims 28 and 32 contain allowable subject matter.

#### **Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

**LOWE HAUPTMAN HAM & BERNER, LLP**

A handwritten signature in black ink that reads "Kenneth M. Berner". The signature is written in a cursive, slightly slanted style.

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